



08-14-00

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FORM PTO-1390 (REV. 12-29-99)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 256/153
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>09/622104</b>
INTERNATIONAL APPLICATION NO. PCT/US99/02603	INTERNATIONAL FILING DATE 05-Feb-99	PRIORITY DATE CLAIMED 13-Feb-98	
TITLE OF INVENTION NOVEL MIXED AMYLIN ACTIVITY COMPOUNDS			
APPLICANT(S) FOR DO/EO/US BEELEY, Nigel; PRICKETT, Kathryn and BEAUMONT, Kevin			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<div>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</div> <div>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</div> <div>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</div> <div>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</div> <div>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<div>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</div><div>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</div><div>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</div></div> <div>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</div> <div>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<div>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</div><div>b. <input type="checkbox"/> have been transmitted by the International Bureau.</div><div>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</div><div>d. <input checked="" type="checkbox"/> have not been made and will not be made.</div></div> <div>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div> <div>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</div> <div>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</div> <div>Items 11. to 16. below concern document(s) or information included:</div> <div>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</div> <div>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div> <div>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.<div><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</div></div> <div>14. <input type="checkbox"/> A substitute specification.</div> <div>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</div> <div>16. <input checked="" type="checkbox"/> Other items or information:<div>- Small Entity Status Statement</div><div>- Copy of Notification of Receipt of Record Copy</div></div>			

09/622104-071701

EL356077193US

U.S. APPLICATION NO. (if known, see 37 CFR 1.4)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
09/622104					
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				CALCULATIONS    PTO USE ONLY	
				\$	670
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	25 - 20 =	5	X \$18.00	\$	90
Independent claims	3 - 3 =	0	X \$78.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$	260
TOTAL OF ABOVE CALCULATIONS =				\$	920
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	460
SUBTOTAL =				\$	460
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	460
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	460
				Amount to be refunded:	\$
				charged:	\$ 460

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 12-2475 in the amount of \$ 460 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 12-2475. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

SIGNATURE:

Charles S. Berkman  
BERKMAN, Charles S.

NAME

38,077

REGISTRATION NUMBER

Attorney's Docket No. 258/153

Applicant or Patentee: Amylin Pharmaceuticals, Inc.  
Serial or Patent No.: Not Yet Assigned  
Filed or Issued: Herewith  
For: Novel Mixed Amylin Activity Compounds

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(c)) – SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: Amylin Pharmaceuticals, Inc.  
Address of Concern: 9373 Towne Centre Drive  
San Diego, CA 92121

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-part or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

Novel Mixed Amylin Activity Compounds

by inventor(s) Nigel R. Beeley; Kathryn S. Prickett; and Kevin Beaumont

described in

- ☒ the specification filed herewith
- ☐ the application serial no. \_\_\_\_\_, filed \_\_\_\_\_
- ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

**\*NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

Attorney's Docket No. 256/153

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Nancy K. Dahl, Esq.

TITLE OF PERSON SIGNING Vice President and General Counsel

ADDRESS OF PERSON SIGNING Amylin Pharmaceuticals, Inc.,

9373 Towne Centre Drive

San Diego, CA 92121

SIGNATURE N.K. Dahl DATE 8-10-00